

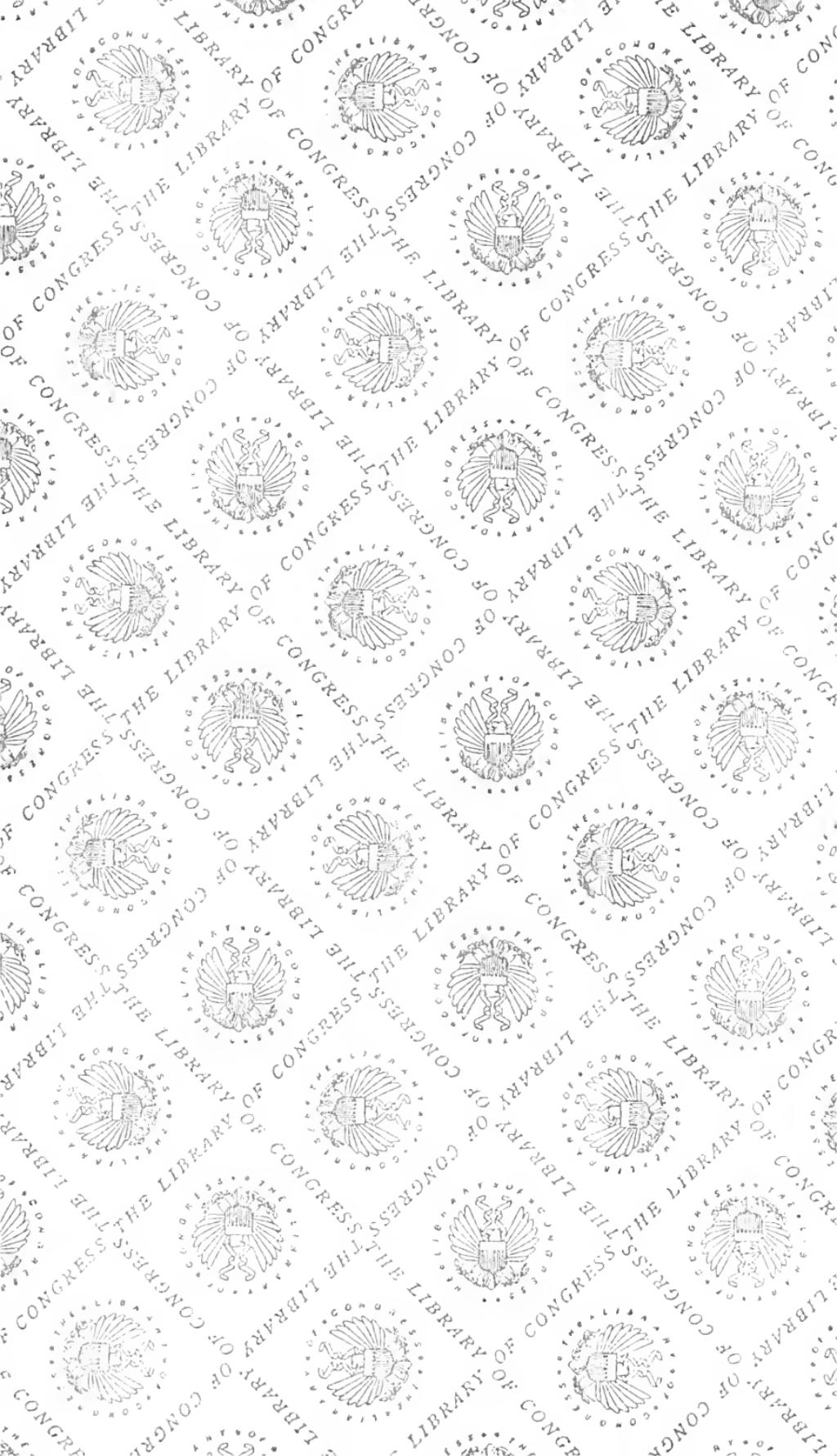
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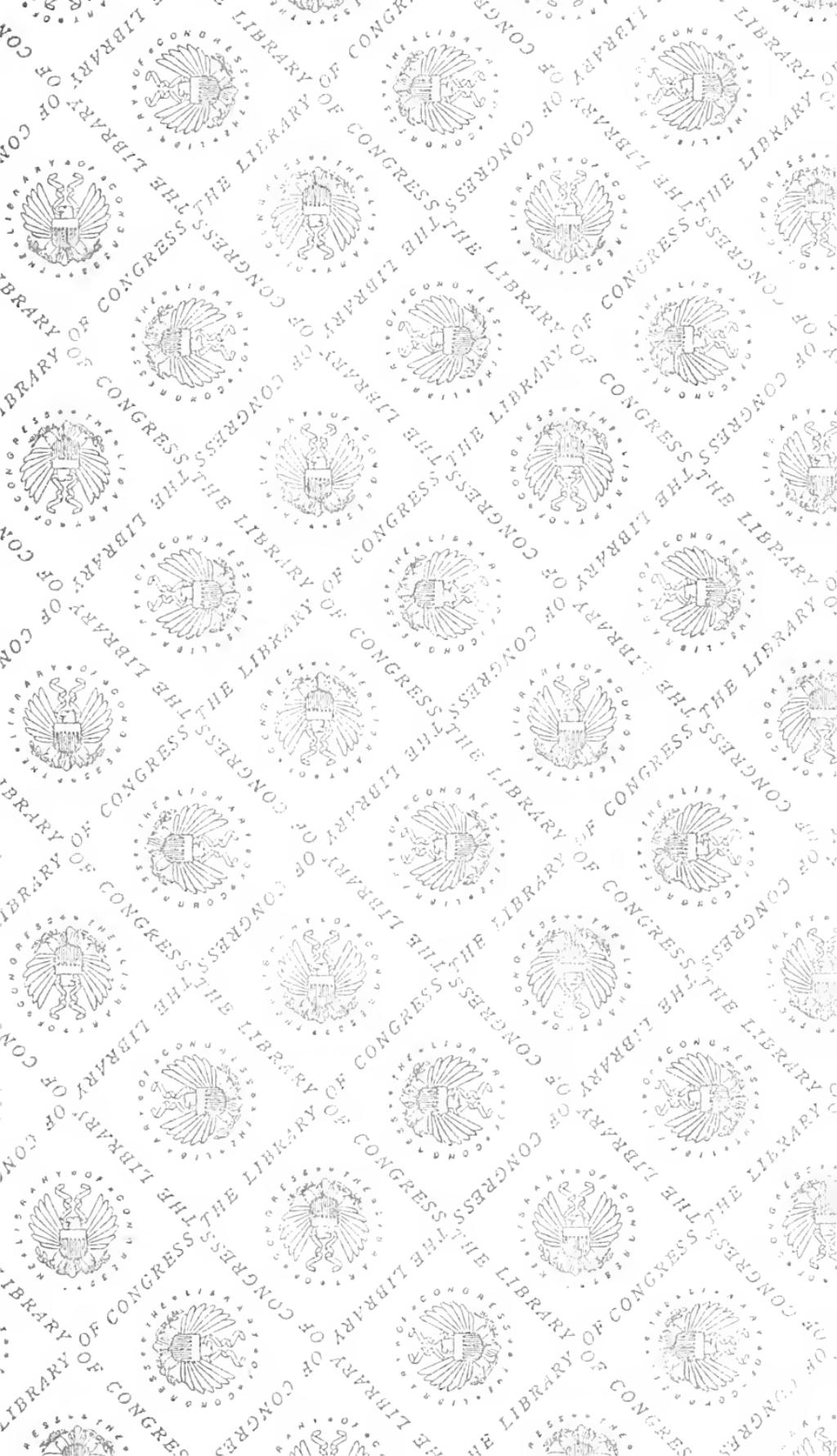
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SPEECH OF MR. CLAY,

OF KENTUCKY,

Delivered June 27, 1840, on the occasion of a Public Dinner, given in compliment to him, at Taylorsville, in his native County of Hanover, in the State of Virginia.

The sentiment in compliment to MR. CLAY, was received with long continued applause.— That gentleman rose and addressed the company substantially as follows:

I think, friends and fellow-citizens, that, availing myself of the privilege of my long service in the public councils, just adverted to, the resolution, which I have adopted, is not unreasonable, of leaving to younger men, generally, the performance of the duty and the enjoyment of the pleasure of addressing the People in their primary assemblies. After the event which occurred last winter at the Capital of Pennsylvania, I believe it due to myself, to the Whig cause, and to the country, to announce to the public, with perfect truth and sincerity, and without any reserve, my fixed determination heartily to support the nomination of William Henry Harrison there made. To put down all misrepresentation, I have, on suitable occasions, repeated this annunciation; and now declare my solemn conviction that the purity and security of our free institutions and the prosperity of the country imperatively demand the election of that citizen to the office of Chief Magistrate of the United States.

But this occasion forms an exception from the rule which I have prescribed to myself. I have come here to the county of my nativity, in the spirit of a pilgrim, to meet, perhaps for the last time, the companions and the descendants of the companions of my youth. Wherever we roam, in whatever climate or land we are cast by the accidents of human life, beyond the mountains or beyond the ocean, in the legislative halls of the Capitol, or in the retreats and shades of private life, our hearts turn with an irresistible instinct to the cherished spot which ushered us into existence. And we dwell with delightful associations on the recollection of the streams in which, during our boyish days, we bathed, the fountains at which we drank, the piney fields, the hills and the valleys where we sported, and the friends who shared these enjoyments with us. Alas! too many of these friends of mine have gone whither we must all shortly go, and the presence here of the small remnant left behind attests both our loss and our early attachment. I would greatly prefer, my friends, to employ the time which this visit affords, in friendly and familiar conversation on the virtues of our departed companions, and on the scenes and adventures of our younger days; but the expectation which prevails, the awful state of our beloved country, and the opportunities which I have enjoyed in its public councils, impose on me the obligation of touching on topics less congenial with the feelings of my heart but possessing higher public interest. I assure you, fellow-citizens, however, that I present myself before you for no purpose of exciting prejudices, or inflaming passions, but to speak to you in all soberness and truth, and to testify to the things which I know, and the convictions which I entertain, as an ancient friend, who has lived long, and whose career is rapidly drawing to a close. Throughout an arduous life, I have endeavored to make truth and the good of our country the guide of my public conduct; but in Hanover county, for which I cherish sentiments of respect, gratitude, and veneration, above all other places, would I avoid saying anything that I did not sincerely and truly believe.

Why is the plough deserted? Why are the tools of the mechanic laid aside, and all seen rushing to gatherings of the People? What occasions those vast and unusual assemblages which we behold in every State, and in almost every neighborhood? Why those conventions of the People, at a common centre, from all the extremities of the Union, to consult together upon the sufferings of the community, and to deliberate on the means of deliverance? Why this rabid appetite for public discussions? What is the solution of the phenomenon?

which we observe, of a great nation agitated upon its whole surface, and at its lowest depths, like the ocean when convulsed by some terrible storm? There must be a cause, and no ordinary cause.

It has been truly said, in the most memorable document that ever issued from the pen of man, that "all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed." The recent history of our People furnishes confirmation of that truth. They are active, enterprising, and intelligent; but are not prone to make groundless complaints against public servants. If we now every where behold them in motion, it is because they feel that the grievances under which they are writhing can be no longer tolerated. They feel the absolute necessity of a change, that no change can render their condition worse, and that any change must better it. This is the judgment to which they have come; this is the brief and compendious logic which we daily hear. They know that, in all the dispensations of Providence, they have reason to be thankful and grateful; and if they had not, they would be borne with fortitude and resignation. But there is a pervading conviction and persuasion, that, in the administration of Government, there has been something wrong, radically wrong, and that the vessel of State has been in the hands of selfish, faithless, and unskillful pilots, who have conducted it amidst the breakers.

In my deliberate opinion, the present distressed and distracted state of the country may be traced to the single cause of the action, the encroachments, and the usurpations of the Executive branch of the Government. I have not time here to exhibit and to dwell upon all the instances of these, as they have occurred in succession, during the last twelve years. They have been again and again exposed on other more fit occasions. But I have thought this a proper opportunity to point out the enormity of the pretensions, principles, and practices of that Department as they have been, from time to time, disclosed, in these late years, and to show the rapid progress which has been made in the fulfilment of the remarkable language of our illustrious countryman, Patrick Henry, that the Federal Executive had an awful squinting toward monarchy. Here, in the county of his birth, surrounded by sons, some of whose sires with him were the first to raise their arms in defence of American liberty against a foreign monarch, is an appropriate place to expose the impending danger of creating a domestic monarch. And may I not, without presumption, indulge the hope that the warning voice of another, although far humbler son of Hanover, may not pass unheeded?

The late President of the United States advanced certain new and alarming pretensions for the Executive Department of the Government, the effect of which, if established and recognised by the People, must inevitably convert it into a monarchy. The first of these, and it was a favorite principle with him, was, that the Executive Department should be regarded as a unit. By this principle of unity, he meant and intended that all the Executive officers of the Government should be bound to obey the commands and execute the orders of the President of the United States, and that they should be amenable to him, and he responsible for them. Prior to his administration, it had been considered that they were bound to observe and obey the Constitution and laws, subject only to the general superintendance of the President, and responsible, by impeachment, to the tribunals of justice for injuries inflicted on private citizens.

But the annunciation of this new and extraordinary principle was not of itself sufficient for the purposes of President Jackson; it was essential that the subjection to his will, which was its object, should be secured by some adequate sanction. That he sought to effect by the extension of another principle, that of dismission from office, beyond all precedent, and in cases and under circumstances which would have furnished just grounds for his impeachment, according to the solemn opinion of Mr. Madison and other members of the first Congress under the present Constitution.

Now, if the whole official corps, subordinate to the President of the United States, are made to know and to feel that they hold their respective offices by the tenure of conformity and obedience to his will, it is manifest that they must look to that will, and not to the Constitution and Laws, as the guide of their official conduct. The weakness of human nature, the love and emoluments of office, perhaps the bread necessary to the support of their families, would make this result absolutely certain.

The development of this new character to the power of dismission would have fallen short of the aims in view, without the exercise of it were held to be a prerogative, for which the President was to be wholly irresponsible. If he were compelled to expose the grounds and reasons upon which he acted, in dismissals from office, the apprehension of public censure would temper the arbitrary nature of the power, and throw some protection around the subordinate officer. Hence the new and monstrous pretension has been advanced, that although the

210-09

concurrence of the Senate is necessary by the Constitution to the confirmation of an appointment, the President may subsequently dismiss the person appointed, not only without communicating the grounds on which he has acted to the Senate, but without any such communication to the People themselves, for whose benefit all offices are created! And so bold and daring has the Executive branch of the Government become, that one of the Cabinet Ministers, himself a subordinate officer, has contemptuously refused to members of the House of Representatives to disclose the grounds on which he has undertaken to dismiss from office persons acting as deputy postmasters in this Department!

As to the gratuitous assumption by President Jackson, of responsibility for all the subordinate Executive officers, it is the merest mockery that was ever put forth. They will escape punishment by pleading his orders, and he by alleging the hardship of being punished, not for his own acts, but for theirs. We have a practical exposition of this principle in the case of the 200,000 militia. The Secretary of War comes out to screen the President, by testifying that he never saw what he strongly recommended; and the President reciprocates that favor by retaining the Secretary in place, notwithstanding he has proposed a plan for organizing the militia, which is acknowledged to be unconstitutional. If the President is not to be held responsible for a Cabinet Minister, in daily intercourse with him, how is he to be rendered so for a receiver in Wisconsin or Iowa? To concentrate all responsibility in the President, is to annihilate all responsibility. For who ever expects to see the day arrive when a President of the United States will be impeached; or, if impeached, when he cannot command more than one third of the Senate to defeat the impeachment?

But to construct the scheme of practical despotism, whilst all the forms of free government remained, it was necessary to take one further step. By the Constitution, the President is enjoined to take care that the laws be executed. This injunction was merely intended to impose on him the duty of a general superintendence; to see that offices were filled, officers at their respective posts in the discharge of their official functions, and all obstructions to the enforcement of the laws removed, and, when necessary for that purpose, to call out the militia. No one ever imagined, prior to the administration of President Jackson, that a President of the United States was to occupy himself with supervising and attending to the execution of all the minute details of every one of the hosts of offices in the United States.

Under the constitutional injunction just mentioned, the late President put forth that most extraordinary pretension, that the Constitution and laws of the United States were to be executed *as he understood them*; and this pretension was attempted to be sustained by an argument equally extraordinary, that the President, being a sworn officer, must carry them into effect according to *his* sense of their meaning. The Constitution and laws were to be executed not according to their import as handed down to us by our ancestors, as interpreted by cotemporaneous expositions, as expounded by concurrent judicial decisions, as fixed by an uninterrupted course of Congressional legislation, but in *that* sense which a President of the United States happened to understand them!

To complete this Executive usurpation, one further object remained. By the Constitution the command of the Army and Navy is conferred on the President. If he could unite the purse to the sword, nothing would be left to gratify the insatiable thirst for power. In 1833 the President seized the Treasury of the United States, and from that day to this it has continued under his control. The seizure was effected by the removal of one Secretary of the Treasury, understood to be opposed to the measure, and by the dismissal of another, who refused to violate the law of the land upon the orders of the President.

It is, indeed, said that not a dollar in the Treasury can, without a previous appropriation, be touched by law, nor drawn out of the Treasury without the concurrence and signature of the Secretary, the Treasurer, the Register and the Comptroller. But are not all these pretended securities idle and unavailing forms? We have seen that, by the operation of the irresponsible power of dismissal, all these officers are reduced to mere automata, absolutely subjected to the will of the President. What resistance would any of them make, with the penalty of dismissal suspended over their heads, to any orders of the President to pour out the treasure of the United States, whether an act of appropriation existed or not? Do not mock us with the vain assurance of the honor and probity of a President, nor remind us of the confidence we ought to repose in his imagined virtues. The pervading principle of our system of government—of all free government—is not merely the possibility, but the absolute certainty of infidelity and treachery, with even the highest functionary of the State; and hence all the restrictions, securities and guarantees which the wisdom of our ancestors or the sad experience of history had inculcated have been devised and thrown around the Chief Magistrate.

Here, friends and fellow-citizens, let us pause and contemplate the stupendous structure of

Executive machinery and despotism which has been reared in our young Republic. The Executive branch of the Government is a unit ; throughout all its arteries and veins their is to be but one heart, one head, one will. The number of the subordinate Executive officers and dependents in the United States has been estimated, in an official report, founded on public documents, made by a Senator from South Carolina, (Mr. CALHOUN,) at one hundred thousand. Whatever it may be, all of them, wherever they are situated, are bound implicitly to obey the orders of the President. And absolute obedience to his will is secured and enforced by the power of dismissing them at his pleasure, from their respective places. To make this terrible power of dismissal more certain and efficacious, its exercise is covered up in mysterious secrecy, without exposure, without the smallest responsibility. The Constitution and laws of the United States are to be executed in the sense in which the President understands them, although that sense may be at variance with the understanding of every other man in the United States. It follows, as a necessary consequence from the principle deduced by the President from the constitutional injunction as to the execution of the laws, that, if an act of Congress be passed, in *his opinion*, contrary to the Constitution, or if a decision be pronounced by the courts, in his opinion, contrary to the Constitution or the laws, that act, or that decision, the President is not obliged to enforce, and he could not cause it to be enforced without a violation, as is pretended, of his official oath. Candor requires the admission that the principle has not yet been pushed in practice in these cases; but it manifestly comprehends them ; and who doubts that, if the spirit of usurpation is not arrested and rebuked, they will be finally reached ? The march of power is ever onward. As times and seasons admonish, it openly and boldly, in broad day, makes its progress ; or, if alarm be excited by the enormity of its pretensions, it silently and secretly, in the dark of the night, steals its devious way. It now storms and mounts the ramparts of the fortress of liberty ; it now saps and undermines its foundations. Finally, the command of the army and navy being already in the President, and having acquired a perfect control over the Treasury of the United States, he has consummated that frightful union of purse and sword, so long, so much, so earnestly deprecated by all true lovers of civil liberty. And our present Chief Magistrate stands solemnly and voluntarily pledged, in the face of the whole world, to follow in the footsteps and carry out the measures and the principles of his illustrious predecessor !

The sum of the whole is, that there is but one power, one control, one will in the State. All is concentrated in the President. He directs, orders, commands the whole machinery of the State. Through the official agencies, scattered throughout the land, and absolutely subjected to his will, he executes, according to his pleasure or caprice, the whole power of the Commonwealth, which has been absorbed and engrossed by him. And one soul will predominate in, and animate the whole of, this vast community. If this be not practical despotism, I am incapable of conceiving or defining it. Names are nothing. The existence or non-existence of arbitrary government does not depend upon the title or denomination bestowed on the chief of the State, but upon the quantum of power which he possesses and wields. Autocrat, sultan, emperor, dictator, king, doge, president, are all mere names, in which the power respectively possessed by them is not to be found, but is to be looked for in the Constitution, or the established usages and practices of the several States which they govern and control. If the Autocrat of Russia were called President of all the Russias, the actual power remaining unchanged, his authority, under his new denomination, would continue undiminished ; and if the President of the United States were to receive the title of Autocrat of the United States, the amount of his authority would not be increased, without an alteration of the Constitution.

General Jackson was a bold and fearless reaper, carrying a wide row, but he did not gather the whole harvest ; he left some gleanings to his faithful successor, and he seems resolved to sweep clean the field of power. The duty of inculcating on the official corps the active exertion of their personal and official influence was left by him to be enforced by Mr. Van Buren, in all popular elections. It was not sufficient that the official corps was bound implicitly to obey the will of the President. It was not sufficient that this obedience was coerced by the tremendous power of dismissal. It soon became apparent that this corps might be beneficially employed to promote, in other matters than the business of their offices, the views and interests of the President and his party. They are far more efficient than any standing army of equal numbers. A standing army would be separated, and stand out from the People ; would be an object of jealousy and suspicion ; and being always in corps or in detachments, could exert no influence on popular elections. But the official corps is dispersed throughout the country, in every town, village, and city, mixing with the People, attending their meetings and conventions, becoming chairmen and members of committees, and urging and stimu-

tating partisans to active and vigorous exertion. Acting in concert, and throughout the whole Union, obeying orders issued from the centre, their influence, aided by Executive patronage, by the Post Office Department, and all the other vast means of the Executive, is almost irresistible.

To correct this procedure, and to restrain the subordinates of the Executive from all interference with popular elections, my colleague, (Mr. Crittenden,) now present, introduced a bill in the Senate. He had the weight of Mr. Jefferson's opinion, who issued a circular to restrain Federal officers from intermeddling in popular elections. He had before him the British example, according to which, placemen and pensioners were not only forbidden to interfere, but were not, some of them, even allowed to vote at popular elections. But his bill left them free to exercise the elective franchise, prohibiting only the use of their official influence. And how was this bill received in the Senate? Passed by those who profess to admire the character and pursue the principles of Mr. Jefferson? No such thing.—It was denounced as a sedition bill. And the just odium of that sedition bill, which was intended to protect office-holders against the People, was successfully used to defeat a measure of protection of the People against office-holders! Not only were they left unrestrained, but they were urged and stimulated by an official report to employ their influence in behalf of the Administration at the elections of the People.

Hitherto, the Army and the Navy have remained unaffected by the power of dismission and they have not been called into the political service of the Executive. But no attentive observer of the principles and proceedings of the men in power could fail to see that the day was not distant when they, too, would be required to perform the partisan offices of the President. Accordingly, the process of converting them into Executive instruments has commenced in a Court Martial assembled at Baltimore. Two officers of the Army of the United States have been there put upon their solemn trial, on the charge of prejudicing the Democratic party by making purchases for the supply of the Army from the members of the Whig party! It is not pretended that the United States were prejudiced by those purchases; it was, I believe, established, that they were cheaper than could have been made from the supporters of the Administration. But the charge was, that to purchase at all from the opponents, instead of the friends of the Administration, was an injury to the Democratic party, which required that the offenders should be put upon their trial before a Court Martial! And this trial was commenced at the instance of a committee of a Democratic Convention, and conducted and prosecuted by them! The scandalous spectacle so as presented to an enlightened world of the Chief Magistrate of a great People executing the orders of a self-created power, organized within the bosom of the State, and upon such an occasion, arraigning before a military tribunal, gallant men, who are charged with the defence of the honor and the interest of their country, and bearing its eagles in the presence of an enemy!

But the Army and Navy are too small, and in composition are too patriotic to subserve all the purposes of this Administration. Hence the recent proposition of the Secretary of War, strongly recommended by the President, under color of a new organization of the militia, to create a standing force of 200,000 men, an amount which no conceivable foreign exigency can ever make necessary. It is not my purpose now to enter upon an examination of that alarming and most dangerous plan of the Executive Department of the Federal Government. It has justly excited a burst of general indignation; and nowhere has the disapprobation of it been more emphatically expressed than in this ancient and venerable Commonwealth.

The monstrous project may be described in a few words. It proposes to create the force by breaking down Mason and Dixon's Line, expunging the boundaries of States, melting them up into a confluent mass, to be subsequently cut up into ten military parts, alienates the militia from its natural association, withdraws it from the authority and command and sympathy of its constitutional officers, appointed by the States, puts it under the command of the President, authorizes him to cause it to be trained, in palpable violation of the Constitution, and subjects it to be called out from remote and distant places, at his pleasure, and on occasions not warranted by the Constitution!

Indefensible as this project is, fellow-citizens, do not be deceived by supposing that it has been or will be abandoned. It is a principle of those who are now in power, that an election or a re-election of the President implies the sanction of the People to all the measures which he had proposed, and all the opinions which he had expressed, on public affairs, prior to that event. We have seen this principle applied on various occasions. Let Mr. Van Buren be re-elected in November next, and it will be claimed that the People have thereby approved of this plan of the Secretary of War. All entertain the opinion, that it is important to train

the militia, and render it effective ; and it will be insisted, in the contingency mentioned, that the People have demonstrated that they approve of that specific plan. There is more reason to apprehend such a consequence from the fact, that a committee of the Senate, to which this subject was referred, instead of denouncing the scheme as unconstitutional and dangerous to liberty, presented a labored apology to be printed for circulation among the People. I take pleasure in testifying, that one Administration Senator had the manly independence to denounce, in his place, the project as unconstitutional. That Senator was from your own State.

I have thus, fellow-citizens, exhibited to you, a true and faithful picture of Executive power, as it has been enlarged and expanded within the last few years, and as it has been proposed further to extend it. It overshadows every other branch of the Government. The source of legislative power is no longer to be found in the Capitol, but in the palace of the President. In assuming to be a part of the legislative power, as the President recently did, contrary to the Constitution, he would have been nearer the actual fact, if he had alleged that he was the sole legislative power of the Union. How is it possible for public liberty to be preserved, and the constitutional distributions of power, among the Departments of Government to be maintained, unless the Executive career be checked and restrained ?

It may be urged, that two securities exist : first, that the Presidential term is of short duration ; and, secondly, the elective franchise. But it has been already shown, that whether a depository of power be arbitrary or compatible with liberty does not depend upon the duration of the official term, but upon the amount of power invested. The Dictatorship in Rome was an office of brief existence, generally shorter than the Presidential term. Whether the elective franchise be an adequate remedy or not, is a problem to be solved next November. I hope and believe it yet is. But if Mr. Van Buren should be re-elected, the power already acquired by the Executive be retained, and that which is in progress be added to that department, it is my deliberate judgment that there will be no hope remaining for the continuance of the liberties of the country.

And yet the partisans of this tremendous Executive power arrogate to themselves the name of Democrats, and bestow upon us, who are opposed to it, the denomination of Federalists ! In the Senate of the United States, there are five gentlemen, who were members of the Federal party, and four of them have been suddenly transformed into Democrats, and are now warm supporters of this administration, whilst I, who had exerted the utmost of my humble abilities to arouse the nation to a vindication of its insulted honor and its violated rights, and to the vigorous prosecution of the war against Great Britain, to which they were violently opposed, find myself, by a sort of magical influence, converted into a Federalist ! The only American citizen that I ever met with, who was an avowed monarchist, was a supporter of the administration of General Jackson ; and he acknowledged to me, that his motive was to bring about the system of monarchy, which his judgment preferred.

There were other points of difference between the Federalists and the Democratic or rather Republican party of 1798, but the great, leading, prominent discrimination between them related to the constitution of the Executive Department of the government. The Federalists believed that, in its structure, it was too weak, and was in danger of being crushed by the preponderating weight of the legislative branch. Hence they rallied around the Executive, and sought to give to it strength and energy. A strong Government, an energetic Executive was, among them, the common language and the great object of that day. The Republicans, on the contrary, believe, that the real danger lay on the side of the Executive ; that having a continuous and uninterrupted existence, it was always on the alert ready to defend the power it had and prompt in acquiring more ; and that the experience of history demonstrated that it was the encroaching and usurping department. They, therefore, rallied around the People and the Legislature.

What are the positions of the two great parties of the present day ? Modern democracy has reduced the federal theory of a strong and energetic Executive to practical operation. It has turned from the People, the natural ally of *genuine* democracy, to the Executive, and, instead of vigilance, jealousy, and distrust, has given to that department all its confidence, and made to it a virtual surrender of all the powers of government. The recognized maxim of royal infallibility is transplanted from the British Monarchy into modern American Democracy, and the President can do no wrong ! This new school adopts, modifies, changes, renounces, renews opinions at the pleasure of the Executive. Is the Bank of the United States a useful and valuable institution ? Yes, unanimously pronounces the Democratic Legislature of Pennsylvania. The President vetoes it as a pernicious and dangerous establishment. The Democratic Legislature approves, promptly approves the act. The democratic majority of the

House of Representatives of the United States declare the deposits of the public money in the Bank of the United States to be safe. The President says they are unsafe, and removes them. The Democracy say they are unsafe, approves the removal. The President says that a scheme of Sub-Treasury is revolutionary and disorganizing. The Democracy say it is revolutionary and disorganizing. The President says it is wise and salutary. The Democracy say it is wise and salutary.

The Whigs of 1840, stand where the Republicans of 1798 stood, and where the Whigs of the Revolution were, battling for Liberty, for the People, for free institutions, against power, against corruption, against Executive encroachments, against monarchy.

We are reproached with struggling for offices and their emoluments. If we acted on the avowed and acknowledged principle of our opponents, 'that the spoils belong to the victor,' we should indeed be unworthy of the support of the people. No! fellow-citizens; higher nobler, more patriotic motives actuate the Whig party. Their object is the restoration of the Constitution, the preservation of liberty, the rescue of the country. If they were governed by the sordid and selfish motives acted upon by their opponents, and unjustly imputed to them, to acquire office emolument, they have only to change their names, and enter the presidential palace. The gate is always wide open, and the path is no narrow one which leads through it. The last comer, too, often fares best.

On a re-survey of the few past years, we behold enough to sicken and sadden the heart of all true patriots. Executive encroachment has quickly followed executive encroachment—persons honored by public confidence, and from whom nothing but grateful and parental measures should have flowed, have inflicted stunning blow after blow in such rapid succession, that, before the people could recover from the reeling effects of one, another has fallen heavily upon them. Had either of the various instances of Executive misrule stood out separate and alone, so that its enormity might have been seen, and dwelt upon with compunction, the condemnation of the Executive would have long since been pronounced; but it has hitherto found safety and impunity in the bewildering effects of the multitude of its misdeeds. The nation has been in the condition of a man, who having gone to bed after his barn had been consumed by fire, is aroused in the morning to witness his dwelling-house wrapt in flames. So bold and presumptuous had the executive become, that, penetrating in its influence the hall of a co-ordinate branch of the government, by means of a submissive or instructed majority of the Senate, it has caused a record of the country to be effaced and expunged, the inviolability of which was guaranteed by a solemn injunction of the Constitution! And that memorable and scandalous scene was enacted only because the offensive record contained an expression of disapprobation of an executive proceeding.

If this state of things were to remain—if the progress of executive usurpation were to continue unchecked, hopeless despair would seize the public mind, or the people would be goaded to acts of open and violent resistance. But, thank God, the power of the Presidency, fearful and rapid as its strides have been, is not yet too great for the power of the elective franchise; and a bright and glorious prospect, in the election of WILLIAM HENRY HARVEY, has opened upon the country. The necessity of a change of rulers has deeply penetrated the hearts of the people; and we every where behold cheering manifestations of the happy event. The fact of his election alone, without reference to the measures of his administration, will powerfully contribute to the security and happiness of the people. It will bring assurance of the cessation of that long series of disastrous experiments which have so greatly afflicted the people. Confidence will immediately revive, credit be restored, active business will return, prices of products will rise; and the people will feel and know that instead of their servants being occupied in devising measures for their ruin and destruction, they will be assiduously employed in promoting their welfare and prosperity.

But grave and serious measures, will, unquestionably, early and anxiously command the earnest attention of the new administration. I have no authority to announce, and do not pretend to announce, the purposes of the new President. I have no knowledge of them other than that which is accessible to every citizen. In what I shall say as the course of the new administration, therefore, I mean to express my own sentiments, to speak for myself without compromitting any other person. Upon such an interesting occasion as this is, in the midst of the companions of my youth, or their descendants, I have felt that it is due to them and to myself, explicitly to declare my sentiments, without reserve, and to show them what I have been, and, as I sincerely believe, the friends with whom I have acted, have been animated by the disinterested desire to advance the best interests of the country, and to preserve its free institutions.

The first, and, in my opinion, the most important object, which should engage the serious attention of a new administration, is that of circumscribing the executive power, and throwing around it such limitations and safeguards as will render it no longer dangerous to the public liberties.

Whatever is the work of man, necessarily partakes of his imperfections; and it was not to be expected that, with all the knowledge, wisdom, and virtues of the framers of our Constitution, they could have sent forth a government, so free from all defects, and so full of guarantees, that it should not, in the conflict of embittered parties, and of excited passions, be perverted and misinterpreted. Misconceptions, or erroneous constructions of the powers granted in the constitution, would probably have occurred after the lapse of many years, in seasons of entire calm, with a regular and temperate administration of the government; but during the last twelve years, the machine, driven by a reckless charioteer, with frightful impetuosity, has been greatly jarred and jolted, and it needs careful examination, and a thorough repair.

With the view, therefore, to the fundamental character of the government itself, and especially of the executive branch, it seems to me that, either by amendments of the constitution when they are necessary, or by remedial legislation, when the object falls within the scope of the powers of Congress, there should be,

1st. A provision to render a person ineligible to the office of President of the United States, after a service of one term.

Much observation and deliberate reflection have satisfied me, that too much of the time, thoughts, and the exertions of the incumbent, are occupied during the first term in securing his re-election. The public business, consequently suffers; and measures are proposed or executed with less regard to the general prosperity than to their influence upon the approaching election. If the limitation to one term existed, the President would be exclusively devoted to the discharge of his public duties; and he would endeavor to signalize his administration by the beneficence and wisdom of its measures.

2d. That the veto power should be more precisely defined, and be subjected to farther limitations and qualifications. Although a large, perhaps the largest proportion of all the bills of congress, passed at the short session of congress, since the commencement of the government, were passed within the three last days of the session, and when of course the resident for the time being had not the ten days for consideration allowed by the constitution—President Jackson first availing himself of that allowance, has failed to return important bills. When not returned by the President within ten days, it is questionable whether they are laws or not. It is very certain that the next congress cannot act upon them by deciding whether or not they shall become laws, the President's objections notwithstanding. All this ought to be provided for.

At present, a bill returned by the President, can only become a law by the concurrence of two-thirds of the members of each house. I think if congress passed a bill after discussion and consideration, and after weighing the objections of the President, still believe it ought to pass, it should become a law, provided a majority of *all* the members of each house concur in its passage. If the weight of his argument, and the weight of his influence cannot prevail on a majority, against their previous convictions, in my opinion the bill ought not be resisted. Such is the provision of the Constitutions of several of the States, and that of Kentucky among them.

3d. That the power of dismissal from office, should be restricted, and the exercise of it rendered responsible.

The constitutional concurrence of the Senate is necessary to the confirmation of all important appointments; but without consulting the Senate, without any other motive than sentiment or caprice, the President may dismiss, at his sole pleasure, an officer created by joint action of himself and the Senate. The practical effect is to nullify the agency of the Senate. There may be, occasionally, cases in which the public interest requires an immediate dismissal, without waiting for the assembling of the Senate; but, in all such cases the President should be bound to communicate fully the grounds and motives of the dismissal. The power would be thus rendered responsible. Without it, the exercise of the power is utterly repugnant to free institutions, the basis of which is perfect responsibility, and dangerous to the public liberty, as has been already shown.

4th. That the control of the Treasury of the United States should be confided and confined exclusively to Congress; and all authority of the President over it, by means of dis-

missing the Secretary of the Treasury, or other persons having the immediate charge, be rigorously precluded.

You have heard much, fellow-citizens, of the divorce of banks and government. After crippling them and impairing their utility, the Executive and its partisans, have systematically denounced them. The Executive and the country were warned again and again of the fatal course that has been pursued; but the Executive, nevertheless persevered, commencing by praising, and ending by decrying the state banks. Under cover of the smoke which has been raised, the real object all along has been, and yet is, to obtain the money power of the Union. That accomplished and sanctioned by the people—the union of the sword and the purse in the hands of the President effectually secured—and farewell to American liberty. The Sub-Treasury is the scheme for effecting that union; and I am told, that of all the days in the year, that which gave birth to our national existence and freedom, is the selected day to be disgraced by ushering into existence a measure, imminently dangerous to the liberty, which on that anniversary we commemorate in joyous festivals.—Thus, in the spirit of destruction which animates our rulers, would they convert a day of gladness and of glory, into a day of sadness and mourning. Fellow-citizens, there is one divorce urgently demanded by the safety and the highest interests of the country—a divorce of the President from the Treasury of the United States.

And 5th. That the appointment of members of Congress to any office, or any but a few specified offices, during their continuance in office, and for one year thereafter, be prohibited.

This is a hackneyed theme, but it is not less deserving serious consideration. The constitution now interdicts the appointment of a member of Congress to any office created, or the emoluments of which had been increased whilst he was in office. In the purer days of the Republic, that restriction might have been sufficient, but in these more degenerate times it is necessary, by an amendment of the constitution, to give the principle greater extent.

These are the subjects, in relation to the permanent character of the government itself, which it seems to me, are worthy of the serious attention of the people, and of a new administration. There are others, of an administrative nature, which require prompt and careful consideration.

1st. The currency of the country, its stability and uniform value; and, as intimately and indissolubly connected with it, the insurance of the faithful performance of the fiscal services necessary to the government, should be maintained and secured by exercising all the power requisite to those objects with which congress is constitutionally invested. These are the great ends to be aimed at—the means are of subordinate importance. Whether these ends indispensable to the well-being of both the people and the government, are to be attained by sound and safe State Banks, carefully selected, and properly distributed, or by a new Bank of the United States, with such limitations, conditions, or restrictions, as have been indicated by experience, should be left to the arbitration of enlightened public opinion.

Candor and truth require me to say, that, in my judgment, whilst banks exist in the country, the services of a Bank of the United States cannot be safely dispensed with. I think that the power to establish such a bank is a settled question; settled by Washington and by Madison, by the people, by forty years' acquiescence, by the judiciary, and by both of the great parties which so long held sway in this country. I know, and I respect the contrary opinion, which is entertained in this State. But, in my deliberate view of the matter, the power to establish such a bank being settled, and being a necessary power, the only question is as to the expediency of its exercise. And on questions of mere expediency, public opinion ought to have a controlling influence. Without banks, I believe we cannot have sufficient currency; without a bank of the United States, I fear we cannot have a sound currency. But it is the end, that of a sound and sufficient currency, and a faithful execution of the fiscal duties of government, that should engage the dispassionate and candid consideration of the whole community. There is nothing in the name of a Bank of the United States which has any magical charm, or to which any one need be wedded. It is to secure certain great objects, without which society cannot prosper; and if, contrary to my apprehension, these objects can be accomplished by dispensing with the agency of a Bank of the United States, and employing that of State Banks, all ought to rejoice and heartily acquiesce, and none would more than I should.

2d. That the public lands, in conformity with the trusts created expressly, or by just implication, on their acquisition, be administered in a spirit of liberality towards the new states and territories, and in a spirit of justice towards all the states.

The land bill, which was rejected by President Jackson, and acts of occasional legislation will accomplish both these objects. I regret that the time does not admit of my exposing here the nefarious plans and purposes of the Administration as to this vast national resource. That, like every other great interest of the country, is administered with the sole view of the effect upon the interests of the party in power. A bill has passed the Senate, and is now pending before the house, according to which forty millions of dollars are stricken from the real value of a certain portion of the public lands by a short process; and a citizen of Virginia, residing on the south-west side of the Ohio, is not allowed to purchase lands as cheap by half a dollar per acre, as a citizen living on the north-west side of that river. I have no hesitation in expressing my conviction, that the whole public domain is gone if Mr. Van Buren be re-elected.

3d. That the policy of protecting and encouraging the productions of American industry, entering into competition with the rival productions of foreign industry, be adhered to and maintained on the basis of the principles, and in the spirit of the compromise of March, 1833.

Protection and national independence are, in my opinion, identical and synonymous. The principle of the one cannot be surrendered without a forfeiture of the other. Who with just pride and national sensibility, can think of subjecting the products of our industry to all the taxation and restraints of foreign Powers, without effort on our part, to counteract their prohibitions and burdens by suitable countervailing legislation? The question cannot be, ought not to be, but of measure and degree. I adopt that of the compromise act, not because that act is irreparable, but because it met the sanction of the nation. Stability, with moderate and certain protection, is far more important than instability, the necessary consequence of high protection. But the protection of the compromise act will be adequate for most, if not as to all interests. The twenty per cent. which it stipulates, cash duties, home valuations, and the list of free articles inserted in the act, for the particular advantage of the manufacturer, will insure, I trust, sufficient protection. All together, they will amount probably to no less than thirty per cent.—a greater extent of protection than was secured prior to the act of 1828, which no one stands up to defend. Now, the valuation of foreign goods is made, not by the American authority, except in suspected cases, but by foreigners, and abroad. They assess the value, and we the duty; but as the duty depends, in most cases upon the value, it is manifest that those who assess the value fix the duty. The home valuation will give our government what it rightfully possesses—the power to ascertain the true value of the thing which it taxes, as well as the amount of that tax.

4th. That a strict and wise economy in the disbursement of the public money, be steadily enforced; and that, to that end, all useless establishments, all unnecessary offices and places foreign and domestic, and all extravagance, either in the collection or expenditure of the public revenue, be abolished and repressed.

I have not time to dwell on details in the application of this principle. I will say, that a pruning knife, long, broad, and sharp, should be applied to every department of the government. There is abundant scope for an honest and skilful surgery. The annual expenditure may, in reasonable time, be brought down from its present amount of about forty millions to near one third of that sum.

5th. The several states have made such great and gratifying progress in their respective systems of internal improvement, and have been so aided by the distribution under the deposit act, that in future, the erection of new roads and canals should be left to them with such further aid only from the General Government, as they would derive from the payment of the last instalment under that act, from an absolute relinquishment of the right of congress to call upon them to refund the previous instalments, and from their equal and just quotas, to be received by a future distribution of the nett proceeds from the sales of the public lands.

And 6th. That the right to slave property, being guaranteed by the constitution, and recognised as one of the compromises incorporated in that instrument by our ancestors, should be left where the constitution has placed it, undisturbed and unagitated by congress.

These, fellow-citizens, are views both of the structure of the Government and of its Administration, which appear to me worthy of commanding the grave attention of the public and its new servants. Although, I repeat, I have neither authority nor purpose to commit my body else, I believe most, if not all of them, are entertained by the political friends with whom I have acted. Whether the salutary reforms which they include will be effected or considered, depends upon the issue of that great struggle which is now going on through-

out all this country. This contest has had no parallel since the period of the revolution.—In both instances there is a similarity of object. That was to achieve, this is to preserve the liberties of the country. Let us catch the spirit which animated, and imitate the virtues which adorned our noble ancestors. Their devotion, their constancy, their untiring activity, their perseverance, their indomitable resolution, their sacrifices, their valor! If they fought for liberty or death, in the memorable language of one of the most illustrious of them, let us never forget that the prize now at hazard is liberty or slavery. We should be encouraged by the fact, that the contest to the success of which they solemnly pledged their lives, their fortunes, and their sacred honor, was far more unequal than that in which we are engaged. But on the other hand, let us cautiously guard against too much confidence.—History and experience prove that more has been lost by self-confidence and contempt of enemies, than won by skill and courage. Our opponents are powerful in numbers and in organization—active, insidious, possessed of ample means, and wholly unscrupulous in the use of them. They count upon success by the use of two words, Democracy and Federalism—Democracy, which in violation of all truth they appropriate to themselves, and Federalism, which in violation of all justice, they apply to us. And allow me to conjure you not to suffer yourselves to be diverted, deceived, or discouraged by the false rumors which will be industriously circulated, between the present time and the period of the election, by our opponents. They will put them forth in every variety, and without number, in the most imposing forms, certified and sworn to by conspicuous names. They will brag, they will boast, they will threaten. Regardless of all their arts, let us keep steadily and faithfully, and fearlessly at work.

But if the Opposition perform its whole duty; if every member of it act as, in the celebrated order of lord Nelson, if the eyes of the whole nation were fixed on him, and as if on his sole exertions depended the issue of the day, I sincerely believe, that at least twenty of the States of the Union will unite in the glorious work of the salvation of the Constitution, and the redemption of the country.

Friends and fellow-citizens, I have detained you too long. Accept my cordial thanks, and my profound acknowledgments for the honors of this day, and for all your feelings of attachment and confidence toward me; and allow me, in conclusion, to propose a sentiment:

Hanover County—It was the first, in the commencement of the Revolution, to raise its arms, under the lead of Patrick Henry, in defence of American liberty; it will be the last to prove false or recreant to the holy cause.

